

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION AT MEMPHIS

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MARY PHILLIPA SLEDGE, MARY JANE  
PIDGEON SLEDGE TRUST, and PIDGEON  
SLEDGE FAMILY LIMITED PARTNERSHIP,  
Plaintiffs,

v.

Case No. 2:13-cv-2578

INDICO SYSTEM RESOURCES, INC.,  
and CLEAL WATTS, III,  
Defendants.

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OFFER OF JUDGMENT

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COME NOW the Defendants, by and through counsel, and pursuant to FED. R. CIV. P. 68  
hereby offer to allow Plaintiffs to take judgment against said Defendants as follows:

1. Compensatory damages in the sum of \$3,300,001.
2. Court costs now accrued in this action, exclusive of discretionary costs available under FED. R. CIV. P. 54.
3. Defendants stipulate that there is a factual basis for the allegations and causes of action set forth in Plaintiffs' Complaint filed with this Court on or about June 29, 2013.
4. Defendants stipulate and agree that this judgment is and shall be non-dischargeable pursuant to, *inter alia*, 11 U.S.C. § 523(a)(4).
5. Defendants agree not to raise dischargeability as a defense to this judgment and stipulate that any such defense is forever hereinafter irrevocably waived.
6. Defendants recognize their duty to cooperate in post judgment discovery in aid of

execution pursuant to, *inter alia*, FED. R. CIV. P. 69.

This offer is conditioned upon the acceptance of same by the Plaintiffs within fourteen (14) days after service hereof, at the expiration of which fourteen (14) days this offer is to be considered withdrawn.

Respectfully Submitted,

BALLIN, BALLIN & FISHMAN, P.C.

/s/ Richard S. Townley

Randall J. Fishman (#7097)

Richard S. Townley (#28164)

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Attorneys for Defendants

#### CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing has been served upon the following this the 9th day of December, 2015:

Darrell N. Phillips

Anthony C. Pietrangelo

John J. Cook

Pietrangelo Cook, PLC

6410 Poplar Avenue, Suite 190

Memphis, TN 38119

/s/ Richard S. Townley, Esq.